

### REMARKS

Claims 1, 3-15, 17-29, 31-42, 44, 45, 47, 49, 50, 52, 58 and 69 are pending in this application. Claims 2, 16, 30, 43, 46, 48, 51, 53-57, 59-68 and 70-72 have been canceled without prejudice or disclaimer of subject matter. Claims 1, 3-15, 17, 18, 20-22, 25, 26, 28, 29, 32-40, 44, 45, 47, 49, 50, 52, 58, and 69 have been amended to define still more clearly what Applicants regard as their invention. Cancelled Claims 2, 16, 30, 43 and 59 have been incorporated into Claims 1, 15, 29, 44 and 58, respectively; canceled Claim 46 is incorporated into Claim 47, and canceled Claims 68 and 70 are incorporated in Claim 69. Claims 21, 35, 44, 45, 47, 49-51 and 69 have been re-written in independent form. All these actions are taken without prejudice or disclaimer of subject matter. Claims 1, 15, 21, 29, 35, 44, 45, 47, 49, 50, 52, 58 and 69 are independent claims.

Claims 4, 18 and 32 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Those claims have been carefully reviewed and amended as deemed necessary to ensure that they comply with the requirements of Section 112. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1-61 and 63-72 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,881,233 (Toyoda et al.), and Claim 62 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Toyoda* in view of U.S. Patent 6,351,316 (Saito et al.).

First, the cancellation of Claims 2, 16, 30, 43, 46, 48, 51, 53-57, 59-68 and 70-72 renders the rejection of those claims moot.

Independent Claim 1 is directed to a communication apparatus for forming and outputting image data on the basis of data received via a network. The apparatus of Claim 1 comprises a receiving unit adapted to receive data composed of a predetermined character code, and an extracting unit adapted to analyze the received data and to extract binary data encoded by the character code. Also provided is a converting unit adapted to convert the binary data extracted by the extracting unit into image data. A first determining unit is adapted to determine whether the binary data is convertible into image data, and a control unit is adapted to transmit, if the first determining unit determines that the binary data is inconvertible, the binary data to an external apparatus and to request the external apparatus to convert the binary data into a format convertible by the apparatus.

Among other important features of this aspect of this invention, is determining whether binary data extracted from received data can be converted into image data and, if not, transmitting the binary data to an external apparatus and requesting the external apparatus to convert the binary data into a convertible format.

The Office Action alleges that the transmission of an e-mail representing an error in *Toyoda* (step S104 in Fig. 26) would effectively request the source to convert the data to a compatible format. Applicants cannot agree. First, it is clearly described that the e-mail represents an error, but there is no basis for asserting that there is any e-mail requesting the source to convert the data into a compatible format. Second, even if *Toyoda* is deemed to disclose transmitting an e-mail, Applicants submit that nothing has been found, or pointed out, in that patent about how the source responds or operates upon

receiving the e-mail representing an error. Therefore, Applicants do not believe that even a *prima facie* case of obviousness has been made out as to Claim 1.

Independent Claims 15 and 29 are method and memory-medium claims corresponding to apparatus Claim 1 and are deemed allowable for the same reasons. Moreover, Claims 44 and 58 are directed to apparatuses that are also believed patentable for the same reasons as discussed in connection with Claim 1.

Independent Claim 7 is directed to a communication apparatus for forming and outputting image data on the basis of data received via a network, comprising a receiving unit adapted to receive data composed of a predetermined character code, and an extracting unit adapted to analyze the data received by said receiving unit and to extract binary data encoded by the character code. Also provided are a converting unit adapted to convert the extracted binary data into image data, and a first determining unit adapted to determine, during a receiving session by the receiving unit, whether the binary data is convertible into image data. A first informing unit is adapted to inform a source of the received data of the determination result from the first determining unit during the receiving session.

Among other important features of this aspect of the invention, is determining whether binary data extracted from received data is convertible into image data and informing a source of the received data of the determination result during a receiving session.

Applicants submit that nothing has been found in *Toyoda* that would teach or suggest this feature. According to Figs. 4, 19 and 26 of *Toyoda*, a determination as to

whether the received data is image data or not, is performed after the step of receiving data, and if the data is not image data, an e-mail representing an error is transmit in the next step (see, e.g., steps S11 though S12C of Fig. 4). Applicants submit that this clearly means that in the *Toyoda* system, the determination of the data type and transmitting the e-mail are not performed during a receiving session, but after the receiving session.

In contrast, in the apparatus of Claim 7, both the determination and informing are performed during a receiving session. That is, the apparatus of Claim 7 allows a source to be informed of an error and data conversion to be requested without any traffic after completion of a receiving session. This great advantage could not be derived from *Toyoda*.

Independent Claims 21 and 35 are method and memory-medium claims corresponding to apparatus Claim 7 and are deemed allowable for the same reasons. Moreover, Claim 45 is directed to apparatuses that are also believed patentable for the same reasons as discussed in connection with Claim 7.

Independent Claim 47 is directed to a communication apparatus that comprises a receiving unit adapted to receive electronic mail, an extracting unit adapted to analyze the received electronic mail and to extract binary data attached to the electronic mail, and a converting unit adapted to convert the extracted binary data into image data. An output unit is provided to output the image data converted by the converting unit. According to Claim 47, a language type of the source is determined from header information of the electronic mail received by the receiving unit, and electronic mail

indicating the conversion error is generated by a message corresponding to the determined language type.

Independent Claim 69 is directed to a communication apparatus that comprises an input unit adapted to input data, a first determining unit adapted to determine whether the input data is non-image data or image-data, and a second determining unit adapted to determine whether the non-image data is convertible into image data. A processing unit is adapted to perform a converting process if the non-image data is convertible, and a content analyzing unit is adapted to detect a language type and an address of a source from the electronic mail and to divide, by using MIME header information, received electronic information composed of a character code into a character code portion and a binary data portion converted into the character code. Also provided is an error report informing unit adapted to transmit, if an error to be reported to the source occurs during the course of outputting the image data, an error report describing a content of the error by a character code corresponding to the detected language type to the source address detected by the content analyzing unit.

Among other important features of these two aspects of the invention, is determining a language type of the source from header information of a received electronic mail, and generating an electronic mail indicating the conversion error by a message corresponding to the determined language type.

In column 8, lines 17-48, column 16, lines 35-67 and column 22, lines 17-67, *Toyoda* discusses that analyzing an e-mail header and converting character code data to image data, registering the ID information of the sender and the information of the

destination mail list into the storage unit, and determining whether the received data is image data or not and if not, transmitting an e-mail representing an error to the source. However, Applicants do not believe that these could be deemed to suggest either determining a language type of the source from header information of a received electronic mail or generating an electronic mail indicating the conversion error by a message corresponding to the determined language type of the aspects of the present invention of Claims 47 and 69. those claims are therefore deemed allowable over *Toyoda*.

A review of the other art of record, including *Saito*, has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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